

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	M.B.D. Case No. 22-mc-91063
	)	
ALBERT VENTURA,	)	
	)	
Defendant.	)	

ASSENTED-TO SECOND MOTION FOR ENDS-OF-JUSTICE CONTINUANCE  
OF TIME FOR FILING AN INDICTMENT OR INFORMATION,  
AND EXCLUSION OF TIME,  
UNDER THE SPEEDY TRIAL ACT

The United States of America, by and through Assistant United States Attorney Philip Cheng, respectfully move this Court to grant a continuance of the time within which an indictment or information must be filed, and exclude the time period from March 15, 2022, through and including April 14, 2022, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the ground that the ends of justice served by granting the requested continuance and excluding these periods outweigh the best interests of the public and the defendant in a speedy trial. The parties further ask this Court to issue the attached proposed *Order of Continuance and Excludable Delay*. In support of this request, the parties state as follows:

1. The defendant was charged by complaint with one count of distribution of and possession with intent to distribute fentanyl, in violation of 21 U.S.C. § 841(a)(1); in United States v. Albert Ventura, Case No. 20-mj-5339-JGD. The parties were engaged in preliminary discussions

regarding the possible resolution of this matter that might result in a plea agreement and obviate the need for an indictment. That does not at this time appear likely.

2. The requested exclusion of time will permit the government to seek an indictment. The prior exclusion of time was for the benefit of the defendant to consider a resolution that may have been to his benefit.

3. The parties agree that, if the requested time is excluded, the government has until May 13, 2022 to return an indictment in this case.

4. The defendant is released on conditions.

5. The defendant, through his counsel Philip Doherty, Esq., assents to this motion.

6. A proposed order is attached.

Respectfully submitted,

RACHAEL S. ROLLINS  
United States Attorney

By: /s/ Philip C. Cheng  
Philip C. Cheng  
Assistant U.S. Attorney

**Certificate of Service**

I hereby certify that this document was served to counsel via email on April 19, 2022.

By: /s/ Philip C. Cheng  
Philip C. Cheng  
Assistant U.S. Attorney